

309.339 Grounds for refusal to issue or renew a license, suspension or revocation of a license, administrative reprimand, probation, or fine -- Hearing.

- (1) The board may deny or refuse to renew a license, may suspend or revoke a license, may issue an administrative reprimand, or may impose probationary conditions or fines not to exceed five hundred dollars (\$500) when the licensee has engaged in unprofessional conduct that has endangered or is likely to endanger the health, welfare, or safety of the public. Unprofessional conduct shall include the following:
 - (a) Obtaining or attempting to obtain a license by fraud, misrepresentation, concealment of material facts, or making a false statement to the board;
 - (b) Being convicted of a felony in any court if any act for which the licensee or applicant for license was convicted is determined by the board to have a direct bearing on whether the person is trustworthy to serve the public as a licensed diabetes educator. "Conviction," as used in this paragraph, shall include a finding or verdict of guilty, an admission of guilt, or a plea of nolo contendere in a court of law;
 - (c) Violating any lawful order or administrative regulation promulgated by the board;
 - (d) Violating any provision of KRS 309.325 to 309.339 or administrative regulation promulgated by the board;
 - (e) Evidence of gross negligence or gross incompetence in the practice of diabetes education; and
 - (f) Violating the standards of practice or the code of ethics as promulgated by administrative regulations.
- (2) All administrative hearings for the disciplinary action against a license or certificate holder shall be conducted in accordance with KRS Chapter 13B.

Effective: June 8, 2011

History: Created 2011 Ky. Acts ch. 87, sec. 8, effective June 8, 2011.